



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

AUG 15 2016

Ronald Kosinski
Deputy District Director
Caltrans District 7
Division of Environmental Planning
100 South Main Street, Mail Stop 16A
Los Angeles, CA 90012

Subject: Final Environmental Impact Statement for the High Desert Corridor Project, Los Angeles and San Bernardino Counties, CA (CEQ# 20160153)

Dear Mr. Kosinski:

The U.S. Environmental Protection Agency has reviewed the Final Environmental Impact Statement (EIS) for the High Desert Corridor Project pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. The State of California has assumed responsibilities under the National Environmental Policy Act for the High Desert Corridor Project pursuant to the *Memorandum of Understanding Between the Federal Highway Administration and the California Department of Transportation Concerning the State of California's Participation in the Surface Transportation Project Delivery Pilot Program*. This project consists of a new expressway extending approximately 63 miles east-west between SR-14 in Los Angeles County and SR-18 in San Bernardino County. Potential features along the expressway right-of-way include: a toll-way, high-speed rail feeder service, a bike path, renewable energy production, electric vehicle charging stations, and a utility corridor.

EPA reviewed the Draft Environmental Impact Statement (DEIS) for this project, and provided comments to Caltrans on December 10, 2014. We rated the DEIS as Environmental Concerns-Insufficient Information (EC-2) due to inconsistencies in the description of project elements with potential to greatly affect the magnitude of project impacts, as well as a lack of sufficient information for EPA to fully assess the environmental impacts of the project. Based upon our review of the Final EIS, many of EPA's principle concerns have been addressed. EPA is encouraged to see Caltrans considering alternative modes of transportation and energy infrastructure, which have the potential to help offset project impacts and provide environmental benefits to the region. Further, we commend Caltrans for project design refinements that have led to significantly reduced impacts to wetlands and waters, including commitments to fully span the Mojave River and Ossum Wash. The Final EIS provides clarification on which project decisions will be made by Caltrans within this Record of Decision, and which project decisions will tier off of this EIS and require additional NEPA analysis. In light of the need for future NEPA analyses relating to this project, EPA requests the opportunity to comment on the range of alternatives and methodologies for analysing impacts to major environmental resources in future tiered documents.

Please see our attached detailed comments for discussion of our remaining concerns with respect to the environmental analysis and impacts of the project, as well as further recommendations for improving environmental outcomes. We appreciate the opportunity to review this Final EIS, and are available to discuss our comments. When the Record of Decision is released for public review, please send one hard copy to the address above (Mail Code: ENF 4-2). If you have any questions, please contact me at 415-947-4161, or contact Zac Appleton, the lead reviewer for this project. Mr. Appleton can be reached at 415-972-3321 or appleton.zac@epa.gov.

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Sincerely,



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Connell Dunning, Supervisor
Environmental Review Section

CC Via Email:

Crystal Huerta, U.S. Army Corps of Engineers
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Linda Stone, California Regional Water Quality Control Board
John Chisholm, California Department of Transportation
Brenda Powell-Jones, California Department of Transportation

Project Tiering

The Final EIS describes project elements for the High Desert Corridor that will be subject to one or more Caltrans Records of Decision, and clarifies that additional projects connected to High Desert Corridor may be sponsored by other entities and will require their own NEPA. For future tiered or supplemental documents related to High Desert Corridor, EPA requests the opportunity to comment on the range of alternatives and methodologies for analyzing impacts to major environmental resources. As requested by Caltrans, EPA is also available to provide input on the renewable energy component of the proposed High Desert Corridor.

Aquatic Resources

EPA appreciates Caltrans commitment to avoidance and minimization measures which have significantly reduced the projected impacts to Waters of the United States. In particular, we are encouraged that Caltrans has committed to providing full-span bridges at Ossum Wash and the Mojave River, while minimizing the number of support columns required for the other major wash crossings. We encourage Caltrans to continue working with the U.S. Army Corps of Engineers to minimize the project's impacts to aquatic resources throughout the final design and construction phase.

Air Quality and Health

We appreciate Caltrans' responsiveness to EPA comments regarding air quality and health for the proposed project. The construction emissions analysis and traffic volume analysis were revised in the Final EIS, and tunneling and electric locomotive choices were also clarified. For construction emissions air quality impact mitigation, EPA continues to recommend that mitigation measure CI-AQ-5 specifically commit to a minimum of 1000 feet distance between concrete batch plants and sensitive receptors.

EPA continues to dispute the characterization of uncertainty regarding Mobile Source Air Toxics (MSAT) and health impacts expressed in the Final EIS. The results of the MSAT analysis contained in Table 3.2.6-10 of the Final EIS demonstrate our concern that while all Alternatives will show air quality improvement over time through emissions control technology and modern fuels, sensitive receptors in the High Desert Corridor may still experience elevated exposure to operating year MSATs from the Build Alternatives. The *High Desert Corridor Traffic Study Report Volume 1* forecasts nearly 140,000 average annual daily traffic by the year 2035 in the SR-14 segment of the proposed corridor. The proposed corridor may include concentrations of sensitive receptors, such as schools, daycare facilities, parks, residences, nursing homes, and hospitals. As future project elements may require additional NEPA, EPA continues to agree with Federal Highway Administration (FHWA) Guidance (http://www.fhwa.dot.gov/environment/air_quality/air_toxics/policy_and_guidance/aqintguidmem.cfm) that recommends the use of quantitative MSAT analysis to differentiate alternatives in that tiered project. In addition to information resources already shared, other resources that can improve MSAT analysis include hotspot risk assessment guidance from the California Air Resource Board (<http://www.arb.ca.gov/toxics/toxics.htm>), and the methods used by the South Coast Air Quality Management District in their MATES IV study (<http://www.aqmd.gov/home/library/air-quality-data-studies/health-studies/mates-iv>). The underlying scientific research that supports the assessment of MSAT (and other air toxic) risk is robust and widely used in many applications throughout the US by federal, state, and local agencies, as well as by academics and other relevant stakeholders. EPA will continue to be available to provide input for relevant MSAT analysis and mitigation measures in future tiered project elements.

Environmental Justice

EPA thanks Caltrans for including appropriate reference communities at city and county scales at every portion of the proposed corridor to determine proportional impact for environmental justice concerns. However EPA disagrees with Caltrans characterization of “linguistic isolation” as being solely a concern for public involvement and public notification, with no direct bearing on Environmental Justice impact analysis. Linguistic isolation is a demographic indicator, apart from low-income or minority population indicators, looking at percentage of households in which no one age 14 and over speaks English “very well” or speaks English only (as a fraction of households), calculated from the Census Bureau’s American Community Survey 2010-2014. Because linguistically isolated households may be missed by public notifications, they may experience persistent disproportionate and adverse impact from environmental factors compared with their neighbors, regardless of income level or minority status. EPA recommends that any future tiered projects in the High Desert Corridor include linguistic isolation in their environmental justice and community analysis.

Community Isolation & Relocation

EPA thanks Caltrans for the clarification of tunneling for the proposed Rail Option 1 in the corridor along Serra Highway and Avenue P8 through 10th Street in Palmdale. EPA recommends that the Palmdale Land Use maps used to describe the High-Speed Rail Options 1 and 7 in Figures 3.1.1-1, 3.1.1-2, and 3.1.1-3 of the Final EIS accurately reflect the actual residential block along 10th Street East, connected to East Avenue P4 and P5. EPA further recommends that Caltrans clearly describe that residents in that area will have safe access into and out of that area during the construction phase, particularly if the proposed tunneling involves cut and cover techniques.

Climate Change

EPA welcomes Caltrans’ statement that the California Environmental Quality Act (CEQA) climate change impact analysis is directly applicable to NEPA and is suitable to inform federal decisions. However, Chapter 4 of the Final EIS characterizes project GHG emissions in relation to global climate change. In recognizing that climate impacts cannot be attributed to any single action, but are exacerbated by a series of smaller actions, we do not recommend comparing GHG emissions from a proposed action to global emissions. The detailed information presented in Tables 4-2 and 4-3 of the Final EIS provides valuable data to quantify the GHG impacts of the various alternatives at base, opening, and horizon years. By offering this quantified GHG comparison between alternatives, Caltrans demonstrates that global scale emissions assessments are not necessary to provide useful information to decisionmakers in the NEPA process. Further, we commend Caltrans for including a discussion of GHG reduction strategies in the Final EIS, and for committing to implement measures to help reduce the potential effects of the project. Given the nature of the project, we understand that it may not be possible to mitigate for all vehicular GHG emissions; however, we are encouraged by Caltrans’ decision to implement a multipurpose corridor for the project that incorporates road, rail, green energy production, transmission, and bicycle facilities. Such multipurpose corridors can help to decrease per-capita GHG emissions while also producing a suite of additional benefits for the region.

Noise Impacts

EPA welcomes Caltrans recommendation in the Noise Study Report that Palmdale Learning Plaza School receive soundwalls SW100 and SW101. We recommend that Caltrans specifically commit to adopt this soundwall recommendation in the Record of Decision.

Green Building

EPA understands that specifications for recycled materials will be determined in the design phase of the project. Along with the rubberized asphalt concrete, recycled water for landscape irrigation, and crushed recycled concrete as aggregate base as potential recycled materials, EPA continues to recommend where practicable and appropriate, flyash as a supplementary cementitious material for carbon-intensive Portland Cement, and tire-derived aggregate in lightweight embankment fill, retaining wall backfill, and as underlay to rail tracks.

